

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELIZABETH FLOOD,

Defendant.

8:06CR59

ORDER

Defendant Elizabeth Flood (Flood) appeared before the court on September 26, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 69). Flood was represented by Assistant Federal Public Defender Richard McWilliams and the United States was represented by Assistant U.S. Attorney Thomas J. Kangior. Through her counsel, Flood waived her right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Flood should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Flood requested a hearing which was held immediately. Flood proffered through counsel she would abide by the conditions of release, obtain employment, and obtain a substance abuse evaluation. Since it is Flood's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that she is neither a flight risk nor a danger to the community, the court finds Flood has failed to carry her burden and that Flood should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:30 a.m. on November 15, 2012.** Defendant must be present in person.

2. Defendant Elizabeth Flood is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 26th day of September, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge